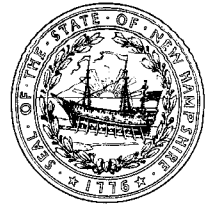


The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

August 7, 2006

**CERTIFIED MAIL**  
**7000 1670 0001 2907 8583**  
**RETURN RECEIPT REQUESTED**

**LETTER OF DEFICIENCY**  
**No. WMD 06-017**

Dimatix/Spectra Printing Division  
109 Etna Road  
Lebanon, NH 03766

Attn: John Batterton, President

**Re: Dimatix/Spectra Printing Division**  
**Lebanon, New Hampshire**  
**EPA ID # NHD073998106**

Dear Mr. Batterton:

On June 26, 2006, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Dimatix/Spectra Printing Division ("Spectra"). The purpose of the inspection was to determine Spectra's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, the following deficiencies in Spectra's hazardous waste management program were documented:

1. Env-Wm 507.01(a)(3) - Storage Requirements – Open Container

At the time of the inspection, the following containers of hazardous waste were not closed. See the attached Container Inventory ("Inventory").

- (a) One (1) 1-liter satellite container of hazardous waste labeled as "THF Waste" located in the Analytical Material Deposition Laboratory ("AMD Lab");
- (b) One (1) 5-gallon satellite container of hazardous waste wipes containing isopropyl alcohol ("IPA") located in the Mod 1 Clean Room Wash Area;
- (c) Five (5) 10-gallon satellite containers of hazardous waste wipes containing IPA located at five workstations in the Mod 1 Clean Room;
- (d) One (1) 5-gallon satellite container of hazardous waste wipes containing IPA located in the Mod 2 Clean Room Wash Area;

- (e) Five (5) 10-gallon satellite containers of hazardous waste wipes containing IPA located at five workstations in the Mod 2 Clean Room;
- (f) Two (2) 10-gallon satellite containers of hazardous waste wipes containing IPA located at two workstations in the Mod 4 Clean Room;
- (g) One (1) 5-gallon satellite container labeled as "hazardous waste solids containing flammable liquids-IPA" located in the Mod 1 Final Assembly area;
- (h) One (1) 5-gallon satellite container of hazardous waste wipes containing IPA located in the Mod 2 Final Assembly area;
- (i) One (1) 5-gallon satellite container of hazardous waste wipes containing IPA located in the Mod 4 Final Assembly area;
- (j) Three (3) 10-gallon satellite containers of hazardous waste wipes containing IPA located at three workstations in the Mod 3 Area;
- (k) Four (4) 10-gallon satellite containers of hazardous waste wipes containing IPA located at four workstations in the Mod 3 Clean Room; and
- (l) One (1) 5-gallon satellite container labeled as "hazardous waste solids containing flammable liquids-IPA" located in the wet laboratory.

Env-Wm 507.01(a)(3) requires generators to ensure that containers storing hazardous waste are closed at all times, except when waste is being added to or removed from the containers.

DES requested that Spectra ensure that containers storing hazardous waste remain closed at all times, except when adding waste to or removing waste from the containers.

*In an e-mail dated June 29, 2006, from Spectra, Rick Lamont, Environmental Health & Safety Manager, stated that all containers have been closed. No further action is required.*

2. Env-Wm 507.03(a)(1)a. – Container Marking

At the time of the inspection, one (1) 1-gallon container of ignitable labpack hazardous waste located in the hazardous waste storage area ("HWSA") was not marked with beginning accumulation date. See the attached Inventory.

Env-Wm 507.03(a)(1)a. requires that all containers used for the storage of hazardous waste be marked with the beginning accumulation date at the time they are first used to store hazardous wastes.

DES requested that Spectra properly mark all containers of hazardous waste with the beginning accumulation date at the time they are first used to store hazardous waste.

*During the inspection, Mark Ewing, Environmental Technician, labeled the container with the beginning accumulation date. No further action is required.*

3. Env-Wm 507.03(a)(1)b., c., and d. - Container Marking

At the time of the inspection, the one (1) 1-gallon container of ignitable labpack hazardous waste located in the HWSA was not marked with the words "hazardous waste," words that identify the contents of the container, and the EPA or state waste number. See the attached Inventory.

Env-Wm 507.03(a)(1)b., c., and d. require that all containers used for the storage of hazardous waste be marked with the following information at the time they are first used to store waste: the words "hazardous waste," words that identify the contents of the container, and the EPA or state waste number.

DES requested that Spectra properly mark all containers of hazardous waste at the time they are first used to store waste with: the words "hazardous waste," words that identify the contents of the container, and the EPA or state waste number.

*During the inspection, Mark Ewing, Environmental Technician, labeled the container with the words "hazardous waste," words that identify the contents of the container, and the EPA waste number. No further action is required.*

4. Env-Wm 509.02(a)(2) - Personnel Training

A review of Spectra's personnel training program revealed the following deficiency:

- (a) The training records failed to document a training program which includes a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that initial training and annual reviews are conducted for personnel handling hazardous waste, and requires full quantity generators to maintain specific documents and records related to personnel training. 40 CFR 265.16(b) also requires facility personnel to complete the program of training within six months of employment or assignment to a new position.

DES requested that Spectra maintain a written personnel training program which provides a description of the type and amount of introductory and continuing training that is given to persons filling each hazardous waste related position, and documentation of hazardous waste job titles, job descriptions, and names of employees filling each position. Please submit a copy of the written personnel training program to DES.

*In an e-mail dated July 24, 2006, from Spectra, Rick Lamont, Environmental Health & Safety Manager, provided a copy of Spectra's training program. No further action is required.*

5. Env-Wm 509.02(a)(5) - Contingency Plan

At the time of the inspection, Spectra's contingency plan was confirmed to be incomplete. Specific deficiencies are listed in the attached Contingency Plan Module.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that Spectra revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module and submit a copy of the plan to the local authorities and to DES.

*In the e-mail dated July 24, 2006, from Spectra, Rick Lamont, Environmental Health & Safety Manager, provided an updated contingency plan for Spectra. **Please update the contingency plan to include the maps to be used during an evacuation of the facility. Spectra must submit a copy of the contingency plan to the local authorities and provide documentation to DES that the contingency plan has been submitted to the local authorities.***

6. Env-Wm 509.02(b) - Emergency Posting

At the time of the inspection, the emergency posting at the telephone nearest to the HWSA failed to document the location of fire extinguishers, spill control material and alarms.

Env-Wm 509.02(b) requires that full quantity generators post a list of the steps to take if an emergency occurs and the following emergency numbers and information at the nearest telephone to the hazardous waste storage area:

- (a) The emergency coordinators (home and office);
- (b) The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and
- (c) The location of fire extinguishers and spill control material, and if present, fire and internal emergency alarms.

DES requested that Spectra post the required information at the telephone nearest to each hazardous waste storage area.

*In the e-mail dated July 24, 2006, from Spectra, Rick Lamont, Environmental Health & Safety Manager, provided a copy of the updated emergency posting which includes the locations of the fire extinguishers, spill control equipment, and alarms. No further action is required.*

7. Env-Wm 509.03(g) - Satellite Storage Container Marking

At the time of the inspection, the following containers were not marked with the words "hazardous waste" and words that identify the contents of the containers:

- (a) The one (1) 5-gallon satellite container of hazardous waste wipes containing isopropyl alcohol ("IPA") located in the Mod 1 Clean Room Wash Area;
- (b) The five (5) 10-gallon satellite containers of hazardous waste wipes containing IPA located at five workstations in the Mod 1 Clean Room;
- (c) The one (1) 5-gallon satellite container of hazardous waste wipes containing IPA located in the Mod 2 Clean Room Wash Area;
- (d) The five (5) 10-gallon satellite containers of hazardous waste wipes containing IPA located at five workstations in the Mod 2 Clean Room;
- (e) The two (2) 10-gallon satellite containers of hazardous waste wipes containing IPA located at two workstations in the Mod 4 Clean Room;
- (f) The one (1) 5-gallon satellite container of hazardous waste wipes containing IPA located in the Mod 2 Final Assembly area;
- (g) The one (1) 5-gallon satellite container of hazardous waste wipes containing IPA located in the Mod 4 Final Assembly area;
- (h) The three (3) 10-gallon satellite containers of hazardous waste wipes containing IPA located at three workstations in the Mod 3 Area; and
- (i) The four (4) 10-gallon satellite containers of hazardous waste wipes containing IPA located at four workstations in the Mod 3 Clean Room.

Additionally, the following containers were not marked with the words "hazardous waste": the one (1) 1-liter satellite container of hazardous waste labeled as "THF Waste" located in the AMD Lab and one (1) 1-liter satellite container of hazardous waste acetone, toluene and IPA located in the wet laboratory.

Env-Wm 509.03(g) requires that at the time the satellite storage container(s) is first used to store wastes, the hazardous waste container(s) is marked with the words "hazardous waste" and words that identify the contents of the container(s).

DES requested that Spectra properly mark all hazardous waste satellite storage containers at the time they are first used to store waste with the words "hazardous waste" and words that identify the contents of the container.

*In the e-mail dated June 29, 2006, from Spectra, Rick Lamont, Environmental Health & Safety Manager, stated that all containers have been marked in accordance with Env-Wm 509.03. No further action is required.*

8. Env-Wm 1102.03 and Env-Wm 1112.04 - Universal Waste Lamp Management

At the time of the inspection, one (1) container of universal waste lamps and fifteen (15) loose universal waste lamps located in the HWSA were not marked with the words "Universal Waste – Lamps," "Waste Lamp(s)," or "Used Lamp(s)." See the attached Inventory.

Env-Wm 1112.04 requires universal waste handlers of lamps to ensure each universal waste lamp or container(s) holding universal waste lamps to be clearly labeled or marked with any of the following: "Universal Waste – Lamps," "Waste Lamp(s)," or "Used Lamp(s)."

DES requested that Spectra clearly label or mark universal waste lamps and container(s) holding universal waste lamps with any of the following: "Universal Waste – Lamps," "Waste Lamp(s)," or "Used Lamp(s)."

*During the inspection, Mark Ewing, Environmental Technician, labeled the container of universal waste lamps and placed the loose universal waste lamps into a labeled container. No further action is required.*

9. Env-Wm 1102.03(c) and Env-Wm 1112.03(a) – Universal Waste Container Requirements

At the time of inspection, the fifteen (15) universal waste lamps observed in the HWSA, were not stored in containers. See the attached Inventory.

Env-Wm 1112.03(a) requires universal waste handlers to store intact and broken universal waste lamps in container(s) that meet the requirements of Env-Wm 1102.03(c). Env-Wm 1102.03(c) furthermore stipulates the containers must be closed, compatible with the universal waste and its contents, and free of defects, design characteristics or damage.

DES requested that Spectra ensure all universal waste lamps generated at the facility are placed and stored in containers that meet the requirements of Env-Wm 1102.03(c).

*During the inspection, Mark Ewing, Environmental Technician, placed the fifteen (15) loose universal waste lamps into a cardboard box. No further action is required.*

10. Env-Wm 1102.03(c)(1) - Universal Waste Lamp Management

At the time of the inspection, three (3) containers of universal waste lamps located in the HWSA were not closed. See the attached Inventory.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested that Spectra ensure that all containers of universal wastes are closed, except when universal waste is being added to or removed from the container.

*In the e-mail dated June 29, 2006, from Spectra, Rick Lamont, Environmental Health & Safety Manager, stated that all universal waste containers are closed. No further action is required.*

DES believes the remaining portion of the cited deficiencies can be corrected and a report describing the corrective measures taken by Spectra can be submitted within thirty (30) days of receipt of this letter. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Spectra including issuing an order requiring that the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may re-inspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may be pursued for any or all violations observed during this or subsequent inspections of the facility.

The written report as requested above should be addressed as follows:

Tammy Calligandes, Waste Management Specialist  
DES/WMD  
P.O. Box 95  
Concord, NH 03302-0095

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This report may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment, and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline, which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at (1-866) HAZ-WAST (in-state only) or (603) 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Tammy Calligandes, or Tod Leedberg, RCRA Compliance Supervisor, at 271-2942. Thank you for your cooperation.

Sincerely,

A stylized, handwritten signature in black ink, appearing to read "JJD" or "Duclos", written over the word "COPY".

John J. Duclos, Administrator  
Hazardous Waste Compliance Bureau  
Waste Management Division

cc: DB/RCRA/LOD/Archives  
Gretchen Hamel, Administrator, DES Legal Unit  
Anthony P. Giunta, P.G., Director, WMD/ Paul L. Heirtzler, P.E., Esq., Administrator, WMP  
Richard Lamont, Environmental Health & Safety Manager, Dimatix/Spectra Division, Lebanon, NH  
Mark Ewing, Dimatix/Spectra Division, Lebanon, NH

ec: JJD/SD

Enclosure: Hazardous Waste Generator Inspection Report